




WILKINSON, BARKER KNAUER & QUINN 1735 NEW YORK AVE., N. W., 8TH FLOOR WASHINGTON, DC 20006		01 40111
PAY TO THE ORDER OF Federal Communications Commission		DATE Nov. 14, 1996 11-000012
One Thousand Nine Hundred Five and 00/100		\$ 1,905.00 DOLLARS
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FEDERAL COMMUNICATIONS COMMISSION
FCC REMITTANCE ADVICE

Approved by OMB
 3060-0589
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PAGE NO. 1 OF 1

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PAYOR INFORMATION

(1) FCC ACCOUNT NUMBER	Did you have a number prior to this? Enter it.	(2) TOTAL AMOUNT PAID (dollars and cents)
0 5 2 1 2 6 4 1 6 7		\$ 1,905 • 00

(3) PAYOR NAME (If paying by credit card, enter name exactly as it appears on your card)

Wilkinson, Barker, Knauer & Quinn

(4) STREET ADDRESS LINE NO. 1

c/o Christine V. Simpson, Esq.

(5) STREET ADDRESS LINE NO. 2

1735 New York Avenue, N.W.

(6) CITY

Washington

(7) STATE
DC

(8) ZIP CODE
20006

(9) DAYTIME TELEPHONE NUMBER (Include area code)

202-783-4141

(10) COUNTRY CODE (if not U.S.A.)

ITEM #1 INFORMATION

(11A) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR	FCC USE ONLY
KSLs, Inc.	

(12A) FCC CALL SIGN/OTHER ID	(13A) ZIP CODE	(14A) PAYMENT TYPE CODE	(15A) QUANTITY	(16A) FEE DUE FOR PAYMENT TYPE CODE IN BLOCK 14
KSCI (TV)	90064	M R T	1	\$ 1,905.00

(17A) FCC CODE 1

(18A) FCC CODE 2

(19A) ADDRESS LINE NO. 1

**12401 West Olympic
Boulevard**

(20A) ADDRESS LINE NO. 2

(21A) CITY/STATE OR COUNTRY CODE

Los Angeles, CA

ITEM #2 INFORMATION

(11B) NAME OF APPLICANT, LICENSEE, REGULATEE, OR DEBTOR	FCC USE ONLY

(12B) FCC CALL SIGN/OTHER ID	(13B) ZIP CODE	(14B) PAYMENT TYPE CODE	(15B) QUANTITY	(16B) FEE DUE FOR PAYMENT TYPE CODE IN BLOCK 14
				\$

(17B) FCC CODE 1

(18B) FCC CODE 2

(19B) ADDRESS LINE NO. 1

(20B) ADDRESS LINE NO. 2

(21B) CITY/STATE OR COUNTRY CODE

CREDIT CARD PAYMENT INFORMATION

(22) MASTERCARD/VISA ACCOUNT NUMBER:

☐ Mastercard

EXPIRATION DATE:

☐ ☐ ☐ ☐

☐ Visa

Month Year

(23) I hereby authorize the FCC to charge my VISA or Mastercard for the service(s)/authorization(s) herein describe.

AUTHORIZED SIGNATURE

DATE

WILKINSON, BARKER, KNAUER & QUINN

LAW OFFICES

1735 NEW YORK AVENUE, N.W.
WASHINGTON, D. C. 20006-5209

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GOETHESTRASSE 23

60313 FRANKFURT A.M., GERMANY

011-49-69-20876

011-49-69-297-8453 (TELECOPIER)

November 14, 1996

BY HAND DELIVERY

Federal Communications Commission
Mass Media Services
P.O. Box 358165
Pittsburgh, PA 15251-5165

Re: KSLs, Inc.
KSCI(TV), San Bernardino, California
Petition for Rule Making to Change the TV Table of Allotments

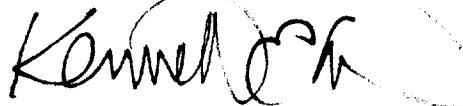
Dear Sir or Madam:

We hand you herewith, on behalf of KSLs, Inc., an original and four copies of its
Petition for Rule Making to Change the TV Table of Allotments.

Should you have any questions regarding this submission, please contact the
undersigned.

Sincerely,

WILKINSON, BARKER, KNAUER & QUINN



By: Kenneth E. Satten

Enclosure

No. of Copies rec'd 072
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BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

In the Matter of)	
)	
Amendment of Section 73.606(b))	MM Docket No.
Table of Allotments)	RM-
TV Broadcast Stations)	
(San Bernardino and Long Beach, California))	

PETITION FOR RULE MAKING

KSLS, Inc. ("KSLS"), licensee of Station KSCI(TV), San Bernardino, California, hereby petitions to amend the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, 47 C.F.R. § 73.606(b), to reallocate UHF TV Channel 18 from San Bernardino, California to Long Beach, California, and to modify KSCI's license accordingly. An Engineering Statement in support of this petition is appended hereto.

San Bernardino is located in San Bernardino County which is part of the Riverside-San Bernardino (P)MSA, according to the 1990 Census Data Summary Report. Long Beach is part of the Los Angeles-Long Beach (P)MSA. San Bernardino has a population of 164,164; Long Beach has a population of 429,433. According to the 1996 *Broadcasting & Cable Yearbook*, there are three television stations, including KSCI(TV), and seven radio stations licensed to San Bernardino. There are no television stations licensed to Long Beach.

The Commission has stated that when considering a petition to amend the Table of Allotments, it will compare the proposed allotment plan to the existing state of allotments for the communities involved. *Modification of FM and TV Authorizations to Specify a New Community of License, Report and Order*, 4 FCC Rcd. 4870, 4873 (1989)

(“*New Community of License*”), *recon. granted in part*, 5 FCC Rcd. 7094 (1990). The Commission will adopt the proposal to change allotments if it would result in a net service benefit for the communities involved (*i.e.*, if the plan would result in a preferential arrangement of allotments). *New Community of License* at 4873. To evaluate whether the proposal would result in a preferential arrangement of allotments, the Commission has held that it will continue to apply the television allotment priorities and policies. The allotment priorities include providing each community with at least one television broadcast station.¹

The change of allotments proposed in this Petition would result in a preferential arrangement of allotments. Specifically, the proposed change would advance priority (2) by providing a first local television broadcast station to Long Beach. The Commission has stated that it will not allow the deprivation of a community’s *only* local transmission service. *New Community of License* at 4874. However, the instant proposal would retain two local television stations in San Bernardino, while bringing first local television service to Long Beach. Further, the public interest would be served by provision of first local service to Long Beach because the proposed change of allotments

¹ The television allotment priorities are (1) to provide at least one television service to all parts of the United States, (2) to provide each community with at least one television broadcast station, (3) to provide a choice of at least two television services to all parts of the United States, (4) to provide each community with at least two television broadcast stations, and (5) to assign any remaining channels to communities based on population, geographic location, and the number of television services available to the community from stations located in other communities. *Sixth Report and Order*, 41 FCC 148, 167 (1952). The Commission has generally been willing to apply the television priorities in a more liberal fashion than the FM priorities due to the recognition that television is a more regional service. *New Community of License* at 4876 n. 8.

would be from a community with a smaller population to a community with a population more than twice as large.

In addition, it is noted that KSCI(TV) offers an Asian programming service. According to the 1990 Census of Population and Housing, the minority percentage of Asian or Pacific Islanders in Long Beach is 13.6%, as compared to 4.0% in San Bernardino. Thus, the proposed reallocation of KSCI to Long Beach would more properly meet the Commission's allotment priorities by providing the significant Asian community in Long Beach with a program service responsive to its needs.

Finally, in *Advanced Television Systems and Their Impact on the Existing Television Broadcast Service, Order*, RM-5811, 52 Fed. Reg. 28,346 (released July 17, 1987) ("*Freeze Order*"), the Commission imposed a freeze on the TV Table of Allotments in certain cities (including Los Angeles) within areas circumscribed by the minimum co-channel separation distances specified in Section 73.610(b), from the reference points provided in Section 76.53 for the cities affected. However, the *Freeze Order* indicated that the freeze does not apply to changes requested by existing stations. Thus, the subject proposal does not raise the concerns of the *Freeze Order*.² Moreover, in the Sixth Further Notice of Proposed Rule Making in MM Docket No. 87-268,³

² *Amendment of Section 73.606(b), Table of Allotments, TV Broadcast Stations (Bessemer and Tuscaloosa, Alabama), Notice of Proposed Rule Making*, 4 FCC Rcd. 3729 (1989) (proposal to change community of license not precluded by the *Freeze Order*).

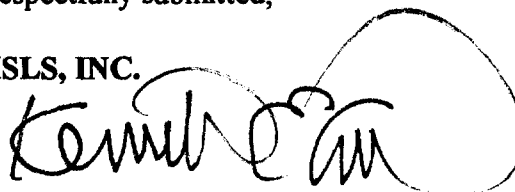
³ *In the Matter of Advanced Television Systems and their Impact upon the Existing Television Broadcast Service*, 11 FCC Rcd. 10968 (1996).

the Commission explicitly stated that petitions proposing to change a station's community of license could continue to be filed.⁴

As demonstrated above, KSLS's petition advances the Commission's long-established allotment criteria by proposing the allotment of a first television channel to Long Beach, California in furtherance of § 307(b) of the Communications Act. Accordingly, KSLS respectfully requests that the Commission issue a Notice of Proposed Rule Making proposing to reallocate Channel 18 from San Bernardino, California to Long Beach, California. Further, KSLS asks that the license for KSCI(TV) be modified accordingly.

Respectfully submitted,

KSLS, INC.

A handwritten signature in black ink, appearing to read "Kenneth E. Satten", written over a large, loopy circular flourish.

By: Kenneth E. Satten

Christine V. Simpson

WILKINSON, BARKER, KNAUER & QUINN

1735 New York Avenue, N.W.

Washington, D.C. 20006

(202) 783-4141

Its Attorneys

November 14, 1996

⁴ Id. at 10992.

Engineering Statement
Community of License
November 1, 1996

The city of Long Beach is located on the 225 degree radial from KSCI's transmitter. The most distant boundary of the city is less than 40 miles from the transmitter. The distance on the 225 degree radial to the 80 dbu contour is 50 miles. The community of Long Beach is completely within the city grade contour of KSCI and there are not any terrain factors that would cause reception problems in the Long Beach area. Enclosed are the engineering calculations and the Predicted Signal Contour map that was included in KSCI's request for modification of the construction permit date April 1976, File No. BMPCT-7671.



William C. Welty
Director of Engineering
KSCI-TV

TABLE 1.
EFFECTIVE RADIATED POWER ALONG THE SEVERAL RADIALS
FOR THE
PROPOSED ANDREW SLOTTED, SECTIONALIZED DIRECTIONAL ANTENNA

Radial Bearing (Deg.)	Avg. Elev.of Radial (Feet)	Rad.Ctr. Height above Terrain (Feet)	Depr. Angle A _h (Deg.)	Rel. Vert. Gain (db)	Rel. Hor. Gain (db)	Net ERP (dbk)	Δh (Meter)	Δf (db)	Net ERP (dbk)
0	5227	315	0.272	-3.4	-40	- 8.2	1179	-89	-97.3
45	5908	-366	-.293	-6.2	-40	-11.0	1041.5	-78.1	-89.0
90	3854	1688	0.629	-1.4	- 9	24.8	630.0	-45.4	-20.6
135	1589	3953	0.962	0	- 1.0	34.2	244.2	-14.6	20.1
180	1318	4224	0.994	0	- 0.5	34.7	207.0	-11.7	23.0
225	1407	4135	0.984	0	- 0.3	34.9	295.5	-18.7	16.2
270	2339	3203	0.867	0	- 3.0	32.2	530.7	-37.4	- 8.2
315	3548	1994	0.683	-1.2	-14.5	19.5	639.1	-46.1	-41.1
100	2745	2797	0.809	0	- 7.0	28.2	308.2	-19.7	1.5

Maximum radiated power = 3319 KW
= 35.21 dbk

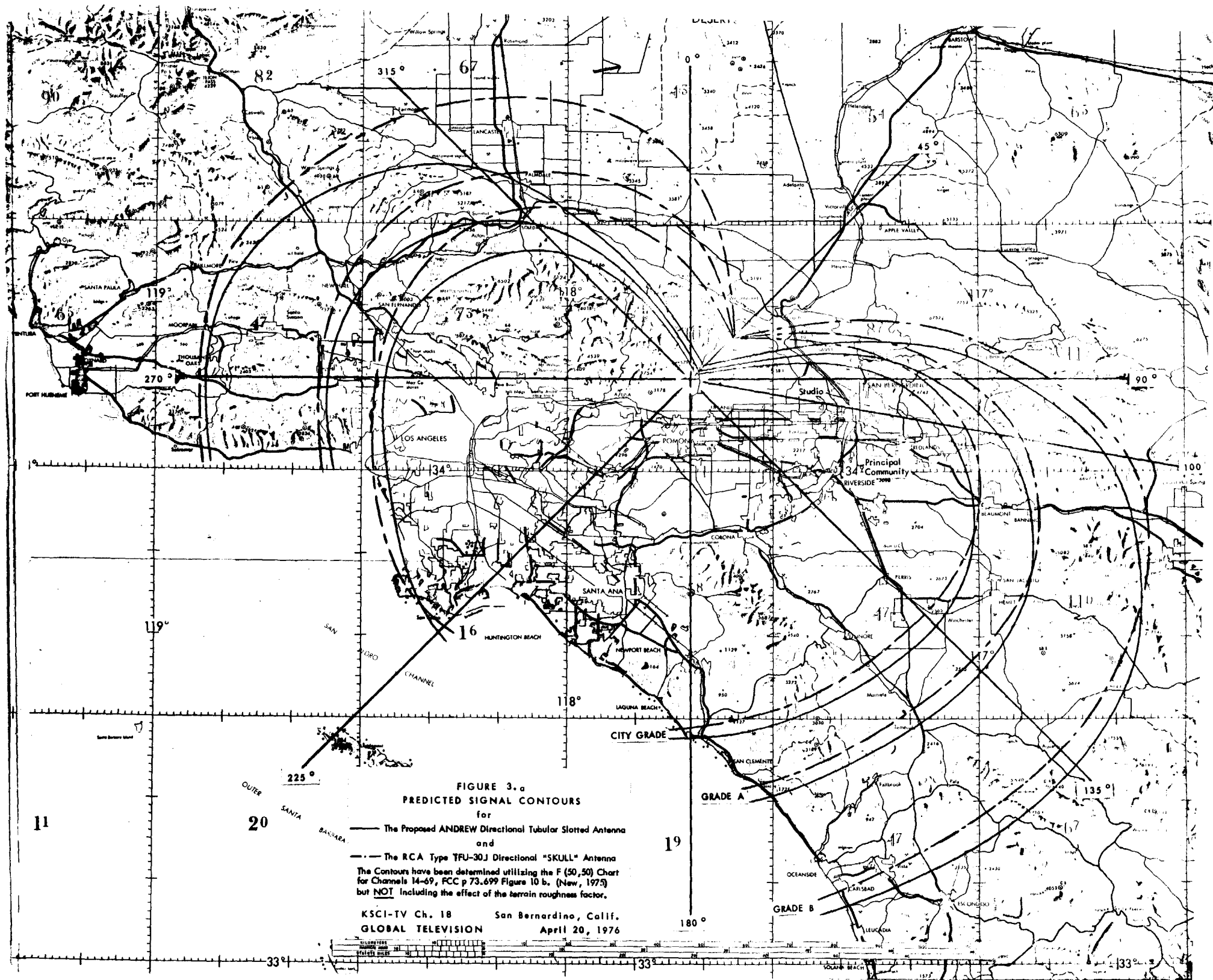
KSCI-TV
Global Television
San Bernardino, Ca.
April 20, 1976

TABLE 2.
TERRAIN DATA - DISTANCE TO THE SEVERAL SIGNAL CONTOURS
FOR THE
PROPOSED ANDREW SLOTTED, SECTIONALIZED DIRECTIONAL ANTENNA

Radial Bearing	Hat	Roughness Correction Omitted				Roughness Correction Included			
		Net ERP	Dist. to City Grade Contour +80 dbu	Dist. to Grade A Contour +74 dbu	Dist. to Grade B Contour +64 dbu	Net ERP	Dist. to City Grade Contour +80 dbu	Dist. to Grade A Contour +74 dbu	Dist. to Grade B Contour +64 dbu
(Deg.)	(Feet)	(dbk)	(miles)	(miles)	(miles)	(dbk)	(miles)	(miles)	(miles)
0	315	-8.2	2.2	3.1	6.0	-97.3	2.2	3.1	6.0
45	-366	-11.0	0.95	1.6	2.7	-89.0	0.95	1.6	2.7
90	1688	24.8	27.7	34.1	45.0	-20.6	1.33	2.3	5.1
135	3953	34.2	48.4	57.7	76.2	20.1	30.1	37.7	50.1
180	4224	34.7	50.0	59.8	78.8	23.0	34.7	41.8	56.6
225	4135	34.9	50.0	59.6	78.4	16.2	26.9	33.6	45.8
270	3203	32.2	42.8	50.1	67.5	- 8.2	6.6	10.6	19.6
315	1994	19.5	24.6	30.6	41.5	-41.1	0.45	1.1	3.1
100	2797	28.2	36.5	43.6	58.4	1.5	16.7	22.2	32.7

Antenna Height above Average Terrain = 2393 feet

KSCI-TV
Global Television
San Bernardino, Ca.
April 20, 1976




WILKINSON, BARKER
KNAUER & QUINN
1735 NEW YORK AVE., N. W., 6TH FLOOR
WASHINGTON, DC 20006

40111

DATE Nov. 14, 1996 ¹⁵⁻³540 00012

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Washington, DC 20006-3944

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